

# LOS ANGELES COMMUNITY COLLEGE DISTRICT

## BOARD OF TRUSTEES

### MINUTES – REGULAR MEETING

Wednesday, March 21, 2012 • 12:30 p.m.  
Educational Services Center • Board Room  
770 Wilshire Boulevard • Los Angeles, California 90017

The regular meeting of the Board of Trustees of the Los Angeles Community College District (LACCD) was called to order at 12:38 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Kelly Candaele (arrived at 12:45 p.m.). Interim Student Trustee Brandon Batham was not present (arrived at 2:30 p.m.).

Chancellor Daniel J. LaVista was present.

### REQUESTS TO ADDRESS THE BOARD OF TRUSTEES – CLOSED SESSION AGENDA MATTERS

None.

### RECESS TO CLOSED SESSION

Motion by Trustee Field, seconded by Trustee Svonkin, to recess to Closed Session in accordance with The Ralph M. Brown Act, Government Code sections 54950 et seq., and the Education Code to discuss the matters on the posted Closed Session agenda pursuant to Government Code section 54954.5 (see Attachment A).

*APPROVED: 6 Ayes*

The regular meeting recessed to Closed Session at 12:39 p.m.

(Trustee Candaele arrived at 12:45 p.m.)  
(Interim Student Trustee Batham arrived at 2:30 p.m.)

### RECONVENE REGULAR MEETING

The regular meeting of the Board of Trustees of the LACCD reconvened at 3:48 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Nancy Pearlman, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Interim Student Trustee Brandon Batham was present.

Chancellor Daniel J. LaVista was present.

Trustee Svonkin led the Pledge of Allegiance to the Flag.

(Trustee Veres left at 3:49 p.m.)

### APPROVAL OF MINUTES

Trustee Field noted the following correction to the minutes of February 8, 2012:

Com. No. BT1. Resolution – District Classified Employees Retirement

WHEREAS, The classified employees identified below have been employed with the Los Angeles Community College District for many years; and

WHEREAS, The classified employees have contributed significantly toward providing the highest quality of services to our students and the public on behalf of the Los Angeles Community College District; now, therefore, be it

RESOLVED, That the Personnel Commission and the Board of Trustees of the Los Angeles Community College District do hereby commend the employees for their contributions and extend best wishes in their retirement.

SUMMARY OF RETIRED CLASSIFIED EMPLOYEES

December 1, 2011 – December 31, 2011

LAST NAME	FIRST NAME	JOB CLASSIFICATION	YEARS OF SERVICE	LOCATION
1 Beard	Helen J.	Student Services Specialist	42	Trade-Tech
2 Coleman	Dwayne Randall Sr.	Senior Programmer Analyst	34	District
3 Holmes	Noie	Purchasing Aide	33	City
4 Amurao	Efren S.	Programmer Analyst	32	District
5 Bjornsen*	Betty Kay	Instructional Assistant, Nursing	30	Valley
6 Thompson	Connie	Administrative Secretary	30	City
7 Redmon	Margaret Marie	Senior Admissions & Records Office Supervisor	29	Valley
8 Hoover	Paula Faith	<b>Senior Office Assistant</b> <b>Administrative Aide</b>	19	Pierce
9 Crawford	Yvonna B.	Financial Aid Technician	19	West
10 Wells	Bobby Jeffery	Locksmith	13	Mission

\*Includes Years of Service as a Classified and Certificated Employee.

Motion by Trustee Svonkin, seconded by Interim Student Trustee Batham, to approve the following minutes as amended:

Regular Meeting and Closed Session – February 8, 2012  
Special Meeting – February 21, 2012  
Regular Meeting and Closed Session – February 22, 2012  
Special Meeting and Closed Session – February 28, 2012

*Interim Student Trustee Advisory Vote: Aye (Batham)*

*APPROVED AS AMENDED: 6 Ayes*

**REPORTS FROM REPRESENTATIVES OF EMPLOYEE ORGANIZATIONS AT THE RESOURCE TABLE**

The following individual reported from the Resource Table:

Ms. Allison Jones, President, Administrators' Association.

## **PUBLIC AGENDA REQUESTS**

### **Oral Presentations**

President Santiago read the cautionary language for speakers and their personal responsibility and, potentially, personal liability for defamatory remarks.

Ms. Rosalinda Olescyski addressed the Board on behalf of Coach Lynn Cain, Football Coach, East Los Angeles College (ELAC).

(Trustee Veres returned at 3:55 p.m.)

Trustee Field made the following statement:

Head Athletic Coaches may be hired either as probationary faculty members who may attain tenure or as walk-on Head Coaches. In the case of the latter, Athletic Head Coaches will be designated as adjunct instructors whose assignments are temporary.

According to the Collective Bargaining Agreement with the American Federation of Teachers (AFT) Faculty Guild, the Athletic Director is responsible for offering and terminating coaching and assistant coaching assignments with the approval of the College President.

These assignments may be terminated "at any time by the College President." The only requirement for terminating these assignments, as stated in Article 14 (Section E. 6.) of the Faculty contract, is that the reasons for termination be in writing.

### **Proposed Actions**

None.

## **REPORTS AND RECOMMENDATIONS FROM THE BOARD**

### **Report on Actions Taken in Closed Session – March 21, 2012**

President Santiago indicated that The Ralph M. Brown Act requires that certain matters determined in Closed Session be reported during the public session that follows.

With regard to FTR International v. LACCD, the Board voted unanimously to file an appeal to a recent court hearing.

The Board also reported that it is referring matters of potential self-dealing to the District Attorney's Office. The Board received a report from its Inspector General finding evidence of self-dealing by the former College Project Manager at Los Angeles Mission College, Nick Quintanilla. The report is available from the Office of Inspector General. The vote was unanimous.

The Board accepted a settlement with Lateef Knight. The vote was unanimous. A copy of the settlement agreement is available from the Office of General Counsel.

The Board took no further actions that The Ralph M. Brown Act requires to be reported.

### **Reports of Standing and Special Committees**

Trustee Veres reported on the morning's Institutional Effectiveness Committee.

Trustee Pearlman reported on the morning's Legislative Committee meeting.

Interim Student Trustee Batham reported on the American Student Association of Community Colleges (ASACC) National Student Advocacy Conference that was held on March 17 to 20, 2012 in Washington, DC.

The following action item, considered as a part as if fully set forth hereto and a certified copy of which will be on file in the Office of the Board of Trustees, was presented by the Board of Trustees and action taken as indicated.

Com. No. BT1. Approve Support for AB 1949 (Cedillo)

Trustee Candaele stated that he would need to excuse himself and leave the room during discussion of Com. No. BT1. due to a conflict of interest. He indicated that he has not talked to any staff, the Chancellor, or the Board members regarding AB 1949.

(Trustee Candaele left at 4:14 p.m.)

Trustee Pearlman summarized AB 1949, which would authorize a community college district to select through a competitive Request for Proposal (RFP) process four or more vendors to offer 403(b) retirement plans. She indicated that the Legislative Committee voted to support this bill.

Trustee Veres indicated that the support for this bill is contingent upon making sure that liability issues are dealt with.

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. No. BT1.

For the record, Trustee Field indicated that AB 1949 is supported by the Los Angeles College Faculty Guild. She stated that it is a service to have the RFP process "weeded down" because there are significant differences between the so-called private profit companies and TIAA-Cref, which is a not-for-profit company. She spoke in support of AB 1949.

Trustee Svonkin inquired if there would be potential additional liability if AB 1949 is enacted and whether the Board of Trustees should then engage in what it proposes to allow us to engage in.

Ms. Camille Goulet, General Counsel, responded that if the law was to pass and the District took this on, then there is an exposure for liability. She indicated that she has not at this time pursued an opinion from an appropriately qualified retirement specialist regarding the liability issues. She stated that it is her intention to do this so that the Legislative Committee can take this into account for further consideration.

Trustee Svonkin indicated that the Legislative Committee's recommendation was to move forward with support of the bill and having legal staff conduct research and report back to the Board if there are potential liabilities to the District. He expressed his concern that only one of the bills from the Legislative Committee agenda is on the Board agenda and that one Board member has a conflict of interest with this one bill. Therefore, he urged the full Board to allow staff to conduct the research and report back to the Board at the next regularly scheduled Board meeting or the subsequent Board meeting. The Board would then take a position on the bill. He recommended that the Board not vote on AB 1949 at this time.

Chancellor LaVista indicated that an employee would be able to choose a 403(b) outside of those that might be selected through this RFP process.

Interim Student Trustee Batham concurred with Trustee Svonkin's recommendation to obtain more information from the General Counsel and District staff as to how AB 1949 would directly affect District employees.

Trustee Pearlman indicated that supporting this bill does not mean that the RFP process has to be conducted in the District.

Motion by Trustee Svonkin, seconded by Interim Student Trustee Batham, to table Com. No. BT1. until the regularly scheduled Board meeting of April 11, 2012.

*Interim Student Trustee Advisory Vote: Aye (Batham)*  
*APPROVED: 6 Ayes*

**Tabled.**

(Trustee Candaele returned at 4:17 p.m.)

## **REPORTS FROM THE CHANCELLOR**

### **Report from the Chancellor Regarding Activities or Pending Issues in the District**

Chancellor LaVista reported regarding the Accreditation Team visits that took place during the week of March 12, 2012.

### **Overview of the LACCD Science, Technology, Engineering & Mathematics (STEM) Programs**

Chancellor LaVista distributed a document entitled "Science, Technology, Engineering & Mathematics (STEM) A Must for LACCD Students." He gave a PowerPoint presentation regarding the LACCD STEM Programs.

A question and answer session was conducted regarding the LACCD STEM Programs.

## **CONSENT CALENDAR ITEMS**

### **Matters Requiring a Majority Vote**

#### **Com. No. BF1. Receipt of Annual Audit**

Motion by Trustee Park, seconded by Interim Student Trustee Batham, to adopt Com. No. BF1.

Ms. Jeanette Gordon, Chief Financial Officer/Treasurer, introduced Mr. Chris Ray, Partner, KPMG LLP, and Mr. Mark Tillotson, Senior Manager, KPMG LLP.

Mr. Ray distributed a document entitled "Los Angeles Community College District Presentation to the Board of Trustees." He discussed the document with respect to the update on District Financial Statement Reports and Findings and the update on Bond Audit Reports and Findings.

A question and answer session was conducted regarding the document.

Trustee Svonkin requested that at the next Finance and Audit Committee meeting, there be discussion regarding the need to ensure on-time delivery of the Audit Reports.

President Santiago recommended that Trustee Svonkin work with Chancellor LaVista on this request.

*Interim Student Trustee Advisory Vote: Aye (Batham)*  
*ADOPTED: 7 Ayes*

#### **Com. No. BF2. Receipt of General Obligation Bond Financial Audit**

Motion by Trustee Park, seconded by Interim Student Trustee Batham, to adopt Com. No. BF2.

*Interim Student Trustee Advisory Vote: Aye (Batham)*  
*ADOPTED: 7 Ayes*

#### **Com. No. FPD1. Facilities Planning and Development Routine Report**

President Santiago indicated that Com. No. FPD1. would be postponed until after the Capital Construction Committee.

## **RECOMMENDATIONS FROM THE CHANCELLOR**

The following action item, considered as a part as if fully set forth hereto and certified copies of which will be on file in the Office of the Board of Trustees, was presented by Chancellor LaVista and action taken as indicated.

Com. No. CH1. Appointment of the Executive Director of Facilities Planning and Development

Motion by Trustee Svonkin, seconded by Interim Student Trustee Batham, to adopt Com. No. CH1.

Chancellor LaVista recommended that the Board of Trustees approve the appointment of Mr. James D. O'Reilly as the Executive Director of Facilities Planning and Development, which will be effective on April 2, 2012.

For the record, Trustee Veres indicated that the Board, in its entirety, had an opportunity to conduct a special Board meeting to interview and ask questions of this candidate before the final selection was made.

*Interim Student Trustee Advisory Vote: Aye (Batham)*  
*ADOPTED: 7 Ayes*

Chancellor LaVista expressed his appreciation to Mr. Tom Hall, Interim Executive Director, Facilities Planning and Development, for the leadership he provided during the recent audits. He announced that on March 16, 2012, he nominated Mr. Hall for an award from the Board of Governors of the California Community Colleges for exemplifying District leadership in energy and sustainability.

Mr. Hall expressed his appreciation for the recognition.

Trustee Pearlman expressed her appreciation to Mr. Hall for his leadership and indicated that the Board members look forward to having Mr. Hall continue to work with them.

**RECESS TO CAPITAL CONSTRUCTION COMMITTEE**

Motion by Trustee Svonkin, seconded by Interim Student Trustee Batham, to recess to the Capital Construction Committee.

*Interim Student Trustee Advisory Vote: Aye (Batham)*  
*APPROVED: 7 Ayes*

President Santiago relinquished the gavel to Trustee Veres to chair the Capital Construction Committee.

The regular meeting recessed to the Capital Construction Committee at 5:00 p.m.

For the record, Trustee Veres noted that all of the Board members were present.

Public Speakers

None.

(Interim Student Trustee Batham left at 5:02 p.m.)

Presentations/Initiatives

Update – West Los Angeles College Bond Construction Project Manager (CPM) Firm Selection Process

A document entitled "College Project Management Firm Selection Process West Los Angeles College (Timeline)" was distributed.

Mr. Hall discussed the document with respect to the tasks involved in the CPM firm selection process and the time that it takes for the process to be completed. He indicated that the Request for Qualifications (RFQ) process has been completed. He further indicated that the Request for Proposal (RFP) process will start on March 23, 2012.

A question and answer session was conducted regarding the CPM firm selection process for West Los Angeles College (WLAC) and the process that was used to select the interim firm that is currently in place at WLAC.

(Trustee Pearlman left at 5:45 p.m.)

### Overview – Bond Program Management Firm Selection Process

A document entitled “Program Management Firm Selection Process (Timeline)” was distributed.

Mr. Hall discussed the document with respect to the RFQ process, RFP process, and timeline as they relate to the Program Management firm selection process.

A question and answer session was conducted regarding the Program Management firm selection process.

Trustee Svonkin requested that future Program Management firm screening processes include outside experts with no financial interests in the District and who would be appointed by the Board of Trustees.

### New Business

None.

### Adjourn Capital Construction Committee

There being no objection, the Capital Construction Committee meeting was adjourned at 6:01 p.m.

Trustee Veres relinquished the gavel to President Santiago.

### **RECONVENE REGULAR MEETING OF THE BOARD OF TRUSTEES**

The regular meeting of the Board of Trustees of the LACCD reconvened at 6:21 p.m. with President Miguel Santiago presiding.

On roll call the following members were present: Kelly Candaele, Mona Field, Tina Park, Miguel Santiago, Scott J. Svonkin, and Steve Veres. Absent: Nancy Pearlman. Interim Student Trustee Brandon Batham was not present.

Chancellor Daniel J. LaVista was present.

### **CONSENT CALENDAR ITEMS** (continued)

#### **Matters Requiring a Majority Vote**

##### Com. No. FPD1. Facilities Planning and Development Routine Report

Motion by Trustee Field, seconded by Trustee Park, to adopt Com. No. FPD1.

Trustee Field spoke in support of Roman Numeral II. Authorize Short-Term Professional Services Agreement, which would authorize a short-term agreement with URS Corporation to provide for an extension of time for continued program management services for the LACCD bond program from April 12, 2012 to October 31, 2012.

Trustee Veres requested that Roman Numeral II. be separated for the vote.

There being no objection, Roman Numeral II. was separated for the vote.

A question and answer session was conducted regarding Roman Numeral I. Authorize Professional Services Agreement as it relates to an agreement with Computer Financial Consultants, Inc. (CFC) to provide information technology saving consulting services for the Districtwide Student Information System Product and Implementation project from March 22, 2012 through July 30, 2012.

Trustee Svonkin requested that Roman Numeral I. be separated for the vote.

There being no objection, Roman Numeral I. was separated for the vote.

Roman Numeral III. Authorize Payment from Bond Proceeds

*ADOPTED: 6 Ayes*

Roman Numeral I. Authorize Professional Services Agreement

Trustee Svonkin expressed his concern that Computer Financial Consultants would be requesting 25 percent compensation and that no other firms were permitted to offer proposals.

Motion by Trustee Svonkin to amend Roman Numeral I. as follows:

I. AUTHORIZE PROFESSIONAL SERVICES AGREEMENT

Authorize an agreement with Computer Financial Consultants, Inc. a private Gartner company (CFC), to provide information technology cost saving consulting services for the District-wide Student Information System Product and Implementation project from March 22, 2012 through July 30, 2012.

Background

CFC has been selected from among qualified consultants to provide the above services. CFC is a technology industry expert that will serve in a technical supporting role to the District's negotiations, and will provide a financial assessment in order to determine further cost savings and other efficiencies to be included in the agreement. CFC will be compensated ~~25%~~ 15% of the difference between the final negotiated position the District has achieved prior to engaging CFC, and the final contract pricing and terms between the District and the vendor, as detailed in the District's final executed contract with the vendor. This agreement is supported by the District's Chief Information Officer.

....

The motion died for the lack of a second.

There was discussion regarding the proposed agreement.

*ADOPTED: 5 Ayes (Candaele, Field, Park, Santiago, Veres)  
1 No (Svonkin)*

Roman Numeral II. Authorize Short-term Professional Services Agreement

Motion by Trustee Veres, seconded by Trustee Svonkin, to amend Roman Numeral II. as follows:

II. AUTHORIZE SHORT-TERM PROFESSIONAL SERVICES AGREEMENT

Action

Authorize a short-term agreement on the same terms as Program Management Agreement 4500099574 with URS Corporation to provide for an extension of time for continued program management services for the LACCD Bond program from April 12, 2012 to ~~October 31,~~ August 31, 2012 at a not to exceed cost of \$8,180,140 inclusive of eligible reimbursable expenses.

....



There was discussion regarding the terms of the proposed short-term agreement.

AMENDMENT APPROVED: 5 Ayes (Candaele, Park, Santiago, Svonkin, Veres)  
1 No (Field)

ADOPTED AS AMENDED: 6 Ayes

**NOTICE REPORTS AND INFORMATIVES**

None.

**ANNOUNCEMENTS AND INDICATIONS OF FUTURE PROPOSED ACTIONS**

Dr. Jack E. Daniels III, President, Los Angeles Southwest College (LASC), announced that six Performing Arts students from LASC participated in the National Association of Dramatic and Speech Arts Conference in Dallas, Texas on March 14-17, 2012. He indicated that four of these students received ratings of "Good" in Reader's Theater and one student received a rating of "Good" in Playwriting and that the entire LASC ensemble received a rating of "Good" in Play Production. He further indicated that Mr. Michael Williams earned first place in the Poetry competition.

Chancellor LaVista announced that Cesar Chavez Day will be observed on Friday, March 30, 2012 and that all District locations will be closed.

**ADJOURNMENT**

Motion by Trustee Veres, seconded by Trustee Park, to adjourn.

Without objection, the regular meeting was adjourned at 6:37 p.m.

DANIEL J. LAVISTA  
Chancellor and Secretary of the Board of Trustees

By: Laurie Green  
Laurie Green  
Assistant Secretary to the Board

APPROVED BY THE BOARD OF TRUSTEES:

Miguel Santiago  
Miguel Santiago  
President of the Board

Date April 11, 2012



# Board of Trustees

LOS ANGELES COMMUNITY COLLEGE DISTRICT  
770 Wilshire Boulevard, Los Angeles, CA 90017 213/891-2000

## AGENDA

### ATTACHMENT A

#### CLOSED SESSION

Wednesday, March 21, 2012  
12:30 p.m.

**Educational Services Center  
Board Room – First Floor  
770 Wilshire Boulevard  
Los Angeles, CA 90017**

- I. **Public Employment**  
(pursuant to Government Code section 54957)
  - A. College President, East Los Angeles College
- II. **Public Employee Evaluation**  
(pursuant to Government Code section 54157)
  - A. College Presidents
  - B. Deputy Chancellor
  - C. Vice Chancellors
  - D. General Counsel
  - ~~E. Executive Assistant to the Chancellor~~
- III. **Conference with Labor Negotiator**  
(pursuant to Government Code section 54957.6)
  - A. District Negotiators: Ken Takeda  
Employee Unit: Building and Trades
  - B. District Negotiators: Sue Carleo  
Employee Unit: Academic Administrators

- C. District Negotiators: Mary Gallagher  
Employee Unit: Clerical/Technical
- D. District Negotiators: Michael Shanahan  
Employee Unit: Supervisory
- E. District Negotiators: Michael Shanahan  
Employee Unit: Local 99

**IV. Public Employee Discipline/Dismissal/Release/Charges/Complaints**  
(pursuant to Government Code section 54957)

**V. Conference with Legal Counsel - Existing Litigation**  
(pursuant to Government Code section 54956.9 (a))

- A. *FTR vs. LACCD*

**VI. Conference with Legal Counsel - Anticipated Litigation**  
(pursuant to Government Code section 54956.9 (b))

- A. Potential litigation – 2 matters

**VII. Discussion with Real Property Negotiator as may be announced prior to closed session** (pursuant to Government Code section 54956.8)

**VIII. Other litigation matters as may be announced prior to the closed session**  
(pursuant to Government Code section 54956.9)